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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/073,238	02/13/2002	Karl W. Potts	20009.0081US01(01272)	4418

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WITHERS & KEYS FOR BELL SOUTH
P. O. BOX 71355
MARIETTA, GA 30007-1355

EXAMINER

PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
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2614

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/073,238	Applicant(s) POTTS ET AL.	
	Examiner Joseph T. Phan	Art Unit 2614	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 November 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3,5-7,25,27-29,31 and 32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3,5-7,25,27-29,31 and 32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>11/27/2007</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 11/27/2007 has been entered.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1, 5, 7, 25, 27-29, and 32 rejected under 35 U.S.C. 102(b) as being anticipated by Wise et al, Patent #5,884,262.

Regarding claims 1 and 25 Wise teaches a system and method for providing recorded announcements on a communications network (Fig.2) comprising:
at least one central terminal (200 Fig.2 and 320 Fig.3) for routing communications on the communication network and in communication with the network, the at least one central terminal further comprising an announcement digital signal processor (260 Fig.2 and 361 Fig.3) wherein the announcement digital signal processor converts one or more digital packet files to voice signals (260 Fig.2, 361 Fig.3, col.7 lines 34-55, and col.8 lines 60-64);

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an announcement service node(15 Fig.2 and 15 Fig.3) coupled to the at least one central terminal further comprising a data schema and an application server for accessing the data schema(18 Fig.2 and 18 Fig.3), wherein the announcement service node provides access via subscription to an inventory of recorded announcement digital packet files on a per-use basis(col.3 lines 50-60; access inventory through internet which is a per-use subscription), wherein the application server is accessible by more than one central terminal coupled to the communications network(18 Fig.2 and Fig.3; computer network has a plurality of terminals), wherein said data schema comprises a storage mass for storing the plurality of recorded announcement digital packet files, the plurality of recorded announcement digital packet files including information for callers on the communications network(col.7 lines 10-65), and wherein a call from an individual is connected to the announcement digital signal processor at the at least one central terminal, with the announcement digital signal processor receiving an announcement digital packet file from the announcement service node while the call from the individual is connected to the at least one central terminal and converting the announcement digital packet file to a voice file so as to audibly convey information to the calling individual as the recorded announcement is played from the at least one central terminal during the call(col.7 lines 34-65); and

an SS7 network, wherein the at least one central terminal initiates queries to the announcement service node via the SS7 network(col.8 lines 37-43 and lines 60-64).

Regarding claim 5, Wise teaches a system according to claim 1, wherein said central terminal comprises a central office of a telephone service network(200 Fig.2 is a central 'office' of a telephone network)

Regarding claim 7, Wise teaches a system according to claim 1, comprising a plurality of central offices of a telephone service provider coupled to the service node of the telephone service provider(Fig.2-3; plurality of central offices nationwide).

Regarding claim 27, Wise teaches a method of providing recorded announcements to devices on a network according to claim 25, comprising identifying the user based on Dialed Number Identification Service (DNIS)(col.3 lines 9-19).

Regarding claim 28, Wise teaches a method of providing recorded announcements to devices on a network according to claim 25, comprising identifying the user based on a code dialed by said user(col.3 lines 9-19).

Regarding claim 29, Wise teaches a method of providing recorded announcements to devices on a network according to claim 25, comprising identifying the user based on Automatic Number Identification (ANI) (caller ID; col.3 lines 9-19).

Regarding claim 32, Wise teaches a method of providing recorded announcements to devices on a network according to claim 25, comprising prioritizing a plurality of queries for recorded announcements from one or more central offices on the network; and providing a plurality of recorded announcements to said one or more central offices on the network (col.7 lines 34-67).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claims 2, 3 and 6 rejected under 35 U.S.C. 103(a) as being unpatentable over Wise et al., in view of Bouman-Amuah, Patent #6,438,594.

Regarding claims 2, 3 and 6, Wise teaches the system according to claim 1.

Regarding claim 2, Wise does not expressly disclose wherein said storage mass comprises a relational database but does however disclose full text and ASCII databases which generally speaking are relational databases(col.7 lines 28-33).

Bouman-Amuah discloses relational databases(col.51 lines 51-64).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wise's databases to include the relational databases in Bouman-Amuah because relational databases were well-known to efficiently manage data as taught by Bouman-Amuah as with full text and ASCII databases as disclosed by Wise.

Regarding claim 3, Wise does not expressly disclose wherein at least a portion of said stored recording announcements are in the form of Lightweight Directory Access Protocol.

Bouman-Amuah discloses Lightweight Directory Access Protocol (col.66 lines 45-67) and X.25 protocol (col. 89 lines 47-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wise's protocols to include LDAP because LDAP were well-known and used to manage databases as taught by Bouman-Amuah. Wise further discloses other protocols maybe used (col.8 lines 30-36)

Regarding claim 6, Wise does not expressly disclose wherein said central office initiates queries to said announcement service node in X.25 protocol.

Bouman-Amuah discloses X.25 protocol (col. 89 lines 47-60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Wise's analog telephone network to include X.25 protocol as taught by Bouman-Amuah because X.25 protocol provided more efficient communication between telephone networks and packet networks as disclosed by Wise.

Furthermore, It is noted that both Wise and Bouman-Amuah teach delivering service via a local interface and therefore the combination would have been further obvious.

7. Claim 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Wise et al., in view of Kredo et al., Patent #6,259,771.

Regarding claim 31, Wise teaches a method of providing recorded announcements to devices on a network according to claim 25.

Wise does not expressly disclose adding a recorded announcement to said centralized storage mass; and providing a translation to a switch on the network correlating to the added recorded announcement.

However, in the same field of endeavor, Kredo teaches adding a recorded announcement

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to said centralized storage mass; and providing a translation to a switch on the network correlating to the added recorded announcement(col.1 lines 53-61 and col.3 lines 51-56).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include changing and adding of recorded announcements as taught by Kredo in order for Wise to be more flexible and adaptable to ever changing announcements as disclosed by Kredo.

Furthermore, It is noted that both Wise and Bouman-Amuah teach delivering service via a local interface and therefore the combination would have been further obvious.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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March 20, 2008

/Joseph T Phan/

Examiner, Art Unit 2614

/Fan Tsang/

Supervisory Patent Examiner, Art Unit 2614